

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**CARPENTERS' DISTRICT COUNCIL
OF GREATER ST. LOUIS AND
VICINITY, et al.,**

Plaintiffs,

vs.

**CONTEMPORARY FLOORING AND
DESIGN, INC.,**

Defendants.

Case number 4:08cv1580 TCM

ORDER

This action was referred to the undersigned Magistrate Judge in accordance with Rule 2.08(A) of the Local Rules of the Eastern District of Missouri. Pursuant to that Rule and 28 U.S.C. § 636(c), each party must execute a written consent to the undersigned's jurisdiction before the undersigned may enter a dispositive ruling. Plaintiffs obtained service on defendant Contemporary Flooring and Design, Inc., on October 16, 2008. Defendant having failed to file an answer or other responsive pleading, Plaintiffs have now moved for an entry of default and a default judgment. These motions are pending.

Clearly, Defendant is not going to consent to the undersigned ruling on either pending motion. Without this consent, the undersigned lacks jurisdiction to rule on these motions. Accordingly,

IT IS HEREBY ORDERED that the Clerk of the Court shall randomly reassign the instant cause of action to a United States District Judge for disposition.

/s/ Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 29th day of January, 2009